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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,890	10/16/2003	Christophe Fery	PF020140	8587
24498	7590	09/07/2004	EXAMINER	
THOMSON MULTIMEDIA LICENSING INC JOSEPH S TRIPOLI PO BOX 5312 2 INDEPENDENCE WAY PRINCETON, NJ 08543-5312			TRAN, MAI HUONG C	
			ART UNIT	PAPER NUMBER
			2818	

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/686,890

Applicant(s)

FERY ET AL.

Examiner

Mai-Huong Tran

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/16/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 6,470,594 to Boroson et al. in view of the remark.

Regarding to claim 1, Boroson et al. discloses an image-display and/or lighting panel comprising two plates, a front plate 30 and a rear plate 10, these plates being sealed and leaving a sealed space 20 between them; an array of electroluminescent cells 12 that are capable of emitting light through the front plate 30 and are distributed between these plates; and an active absorbent agent 60 in this sealed space 20; characterized in that the front plate 30 includes, on its internal face corresponding to the face in contact with the sealed space (col. 9, lines 58-67, col. 10, col. 11, lines 1-5, lines 30-37, and figures 6A and 6B).

Boroson does not disclose an array of cavities that are distributed between the cells and contain the absorbent agent. However, Boroson teaches water absorbing material 60 positioned between the substrate 10 and the encapsulation enclosure 30 and within the space defined by the sealing material 20 (col. 10, lines 54-56, and figs. 6A, 6B).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to form an array of cavities that are distributed between the cells and contain the absorbent agent, since it has been held that rearranging parts of an invention involves only routine skill in the art. Also, the absorbent agent that is disclosed by Boroson et al. and by Fery (applicant) performs the same function as listed below: improved protection from moisture prior to exposure to ambient environments; improved compatibility with automated processes required for high volume manufacturing; improved compatibility with processing inside a low moisture environment; and reduction in encapsulation defects due to pressure differentials inside and outside the highly moisture-sensitive electronic devices (col. 6, lines 56-62).

Regarding to claim 2, Boroson et al. disclose the image-display and/or lighting panel characterized in that the cavities form grooves (col. 4, lines 39-51, col. 4, lines 66-67, col. 5, lines 1-3, col. 13, lines 30-41).

Regarding to claims 3 and 4, Boroson et al. disclose the claimed invention except for the image-display and/or lighting panel, characterized in that, when the cells are distributed in rows and columns, each of the grooves is placed between two adjacent rows and/or between two adjacent columns, and the grooves extend over the entire width of the surface defined by the array of cells.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to form the image-display and/or lighting panel, characterized in that, when the cells are distributed in rows and columns, each of the grooves is placed between two adjacent rows and/or between two adjacent columns, and the grooves extend over the entire width of the surface defined by the array of cells since it has been held that rearranging parts of an invention involves only routine skill in the art. Also, the absorbent agent that is disclosed by Boroson et al. and by Fery (applicant) performs the same functions as listed below:

improved protection from moisture prior to exposure to ambient environments; improved compatibility with automated processes required for high volume manufacturing; improved compatibility with processing inside a low moisture environment; and reduction in encapsulation defects due to pressure differentials inside and outside the highly moisture-sensitive electronic devices (col. 6, lines 56-62).

Regarding to claim 5, Boroson et al. discloses a panel characterized in that each cell includes an organic electroluminescent layer 12 that rests on the rear plate 10 (fig. 6B).

Regarding to claim 6, Boroson et al. discloses an image-display and/or lighting panel characterized in that the absorbent agent is suitable for absorbing oxygen and/or water vapor (col. 10, lines 1-5).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mai-Huong Tran whose telephone number is (571)272-1796. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571)272-1787. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MH
09/02/04


Mai-Huong Tran
Examiner
Art Unit 2818